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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

Russell G. Greer, et al. v. Gary R. Herbert, et al.	Plaintiffs, Defendants.	REQUEST TO SUBMIT FOR DECISION: SALT LAKE COUNTY DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF Case No. 2:16-cv-01067 Magistrate Judge: Dustin B. Pead
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Defendants Sim Gill, Ben McAdams and Rolen Yoshinaga (collectively "County Defendants"), by and through their undersigned counsel, and pursuant to DUCivR 7-3, hereby requests that their Motion to Dismiss Plaintiffs' Complaint for Declaratory and Injunctive Relief (Doc. No. 18) ("County Defendants' Motion") be submitted for decision.

The County Defendants' Motion was filed and served on December 27, 2016. Plaintiff Russell Greer ("Plaintiff") filed his memorandum in opposition on January 27, 2017. (Docket No. 29). The County Defendants filed their reply memorandum on February 17, 2017. (Docket

No. 30). Without leave of court,¹ Plaintiff filed a surreply,² amended complaint, and request for hearing on February 28, 2017 (entitled “Plaintiff’s Response and Memorandum in Opposition to County Defendants’ Reply Memorandum, Amended Complaint with Exhibits and Request for Hearing”). (Docket No. 31). Plaintiff has requested a hearing.

Accordingly, the County Defendants’ Motion is now ripe for submission and decision by the Court.

Respectfully submitted this 6th day of March 2017.

SIM GILL
Salt Lake County District Attorney

/s/ NEIL R. SARIN _____
NEIL R. SARIN
JENNIFER BAILEY
Deputy District Attorney
*Attorney for Defendants Sim Gill, Ben McAdams
and Rolen Yoshinaga*

¹ County Defendants share the Court’s confusion on Plaintiff’s filing of a surreply and amended complaint without leave of court.

² Plaintiff concedes that his main quarrel is with the State of Utah and considers his opposition (Doc. No. 29) to the State’s motion only, and not to the County Defendants’ motion. (*See* Doc No. 31 at 2). As such, the County Defendants request dismissal of all claims against them. (*See Id.*).

CERTIFICATE OF SERVICE

I certify that on this 6th day of March, 2017 a true and correct copy of the foregoing Request to Submit for Decision: Salt Lake County Defendants' Motion to Dismiss Plaintiffs' Complaint for Declaratory and Injunctive Relief was electronically filed with the Clerk of Court using the CM/ECF system and mailed to the following:

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